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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,539	07/11/2001	Gerhard Hochgesang	4106-0111P	6849

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BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER

HESS, DANIEL A

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/902,539

Applicant(s)

HOCHGESANG ET AL.

Examiner

Daniel A Hess

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Priority*

1. Acknowledgement is made of applicant's claim for foreign priority. Priority papers have been received and placed in the file of record of application Germany 100 34 346.5 dated 7/14/2000.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims 1-5 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Youn et al. (US 5,966,284) in view of Lum et al. (US 6,312,175).

Re claim 1: Youn shows (see figure 3) a keypad 12, which constitutes an upper portion that is detachable from the base portion (i.e. the laptop having the keyboard bay). It is understood in the art that there must be keyboard circuitry behind the keys, and since the receiving bay for the keyboard does not show it, it is clear that this circuitry must be part of the removable keyboard portion. A profile of figure 3 reveals essentially the same type of S-shaped lower shell (laptop receiving bay) as in the claimed invention. Also, there is seamless joining of the keyboard (upper portion) with the lower portion 46 at front and back (46 and 20a). Note also that the lower portion has auxiliary parts such as the track-ball. While Youn does not explicitly show electrical connection between the keyboard and the base, we can expect that it is there. See for example Rubenson et al. (US 6,510,048) figure 2. [Note while this is not prior art, it illustrates that some type of connection is present, even though it is not explicit in Youn.]

Youn fails to show a card reader that is part of the base portion.

Lum teaches attaching a card reader adjacent to a keyboard (see figure 1).

In view of Lum's teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the old and well-known card reader adjacent to a keyboard as taught by Lum into the system of Youn because this can assist such capability as, for example, Internet purchases with a credit card. Note that, just as Youn et al. shows the trackball remaining with the base then the keyboard pops out, we can similarly expect that the card reader taught by of Lum would remain with the base when the keyboard pops out.

Re claim 2: Lum, already incorporated above, shows this: see figure 1a of Lum.

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Re claim 3: Lum indicates (column 3, lines 55-57) that the optical scanner (figure 2a, 2 or 12) could instead be a smart card reader.

In view of Lum's teaching, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the old and well-known chip-card reader adjacent to a keyboard as taught by Lum into the teachings of Youn because chip cards can bring additional capability such as further storage. Note again that in Youn the peripherals (trackball) stay behind in the base, while only the keypad pops out.

Re claim 4: See discussion re claims 2 and 3 above, which together produce claim 4.

Re claim 5: Youn shows 'sleeves' at 32 and 20a whereby the keyboard is releasably attached to the base.

Re claim 7: In Youn, the lower portion (i.e. the receiving bay for the keyboard) is indeed sealed/covered from the elements.

Re claim 8: What is claimed is simply a standard manufacturing technique for such plastic parts. Youn may well be manufactured using such a process, but even if it is not, it is certainly manufactured by an equivalent process.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Youn as modified by Lum as applied to claim 1 above, and further in view of Heys, Jr. (US 5,153,589).

Youn as modified by Lum fails to show that the keyboard circuitry is itself modular and separable from the keyboard.

Heys shows just this: figure 1a depicts keyboard circuitry that is detachable and latchable to the other components.

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In view of Hey's teachings, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the old and well-known detachable keyboard circuitry as taught by Heys in the teachings of Youn as modified by Lum because in the event that the keyboard fails, it may be possible to only replace the circuitry without replacing the whole keyboard.

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Alley et al. (US 4,564,751), Merkel (US 5,510,953) Patret (US 5,661, 633), Batra et al. (US 6,317,061), Ganthier et al. (US 5,865,546), Anderson et al. (US 6,104,604), and Kim (US 6,421,237) all show systems whereby the keyboard portion is detachable from the base.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel A Hess whose telephone number is (703) 305-3841. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G Lee can be reached on (703) 305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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A handwritten signature consisting of the letters 'D' and 'H' in a stylized, cursive font.

DH

February 20, 2003

Daniel A Hess

Examiner

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A handwritten signature in a cursive script, appearing to read 'K. D. Frech'.

KARL D. FRECH  
PRIMARY EXAMINER